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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,708	12/04/2003	Yasuo Mori	00862.023354.	7041

5514 7590 01/11/2006

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EXAMINER

BOTTS, MICHAEL K

ART UNIT PAPER NUMBER

2176

DATE MAILED: 01/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/726,708	<b>Applicant(s)</b> MORI ET AL.	
	<b>Examiner</b> Michael K. Botts	<b>Art Unit</b> 2176	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12/4/03; 11/30/04.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>11/30/04</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This document is the first Office Action on the merits. This action is responsive to the following communications: The Non-Provisional Application, which was filed on December 4, 2003, which claims 35 U.S.C. 119 priority to Japan application 2002-358315, which was filed on December 10, 2002, and an Information Disclosure Statement (IDS), which was filed on November 30, 2004.

A certified copy of Japan application 2002-358315 was filed on February 11, 2004, but no translation has yet been filed.

2. Claims 1-19 have been examined, with claims 1, 7, 13, 17, 18, and 19 being the
3. Claims 1-19 are rejected.

### ***Information Disclosure Statement***

4. An initialed and dated copy of applicant's IDS form 1449, which was filed on November 30, 2004, is attached to this Office Action.

### ***Claims Rejection – 35 U.S.C. 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Usami, et al (U.S. Patent 5,63,480, issued November 8, 1994) [hereinafter "Usami"] in view of Orr, et al. (U.S. Patent 5,895,477, issued April 20, 1999) [hereinafter "Orr"].

Regarding **independent claim 1**, Usami in view of Orr teaches:

*A document processing apparatus for a structured document formed by grouping original pages, comprising:*

*a display controller which controls display of image objects of either or both of a document structure and an original page contained in the document; and*

*an editor which edits the document so as to insert a new group containing a designated original page to a designated position in accordance with designation of the original page and the position on the image objects displayed by said display controller,*

*wherein said display controller controls display of the image objects for the document edited by said editor.*

(Usami teaches a multiple page display for word processing including editing with a display controller that displays images of the original pages, but it does not expressly teach displaying a document structure with an original page contained in the object and does not teach an inserting a new group of pages.

Orr teaches a display controller that displays document structure and the original pages, and further, teaches the insertion of a plurality of objects to the original documents via a tree structure, and such object may include pages.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Usami with Orr to result in a word processing program that displayed the document by pages and to make insertions by pages because both programs deal with the creation and manipulation of electronic documents. Suggestion for a page by page insertion according to the invention of Orr is taught by Orr in Figures 1 and 2, teaching a saved document that is edited through a user interface with an associated edited version which is then processed to a multi-page information presentation.)

Regarding **dependent claim 2**, Usami in view of Orr teaches:

*The apparatus according to claim 1, wherein said display controller displays a selection window capable of selecting whether to edit the document so as to insert the new group containing the designated original page to the designated position or whether to move the designated original page to the designated position in accordance with designation of the original page and the position on the image objects, and said editor performs editing processing in accordance with selection in the selection window.*

(See rejection of Claim 1, above, and see also, Orr, Figures 1-2, teaching an editing window with "File," "Edit," "View," and "Insert" functions.)

Regarding **dependent claim 3**, Usami in view of Orr teaches:

*The apparatus according to claim 1, wherein the group has a group attribute, and said editor causes the new inserted group to inherit an attribute of the group to which the designated original page belongs.*

(See rejection of Claim 1, above, and see also, Orr, col. 3, lines 27-34, teaching matching the edited content to the original content.)

Regarding **dependent claim 4**, Usami in view of Orr teaches:

*The apparatus according to claim 1, wherein the group has a group attribute, and said editor gives a predetermined attribute to the new inserted group.*

(See rejection of Claim 1, above, and see also, Orr, col. 3, lines 27-34, teaching matching the content to new components in the design tree.)

Regarding **dependent claim 5**, Usami in view of Orr teaches:

*The apparatus according to claim 1, wherein the group has a group attribute, said editor causes said display controller to display a selection window capable of selecting whether to cause the new inserted group to inherit an attribute of the group to which the designated original page belongs, or whether to give a predetermined attribute, and said editor performs editing processing in accordance with selection in the selection window.*

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(See rejection of Claim 1, above, and see also, Orr, claim 7, teaching use of a content drop table to determine the content type to be used.)

Regarding **dependent claim 6**, Usami in view of Orr teaches:

*The apparatus according to claim 1, wherein the group of the original pages is made to correspond to a layer of a data structure having at least one chapter which forms a document, and at least one original page is made to correspond to a lower layer of the data structure of the chapter.*

(See rejection of Claim 1, above. In addition, since the invention displays a series of pages, it would be obvious to one of ordinary skill in the art at the time of the invention that the pages displayed may constitute a chapter that forms a document. Further, see, Orr, Figure 31, teaching that the original page may be modified to any form in the tree structure.)

Regarding **claims 7-12**, claims 7-12 incorporate substantially similar subject matter as claimed in claims 1-6, respectively, and are rejected along the same rationale.

Regarding **independent claim 13**, Usami in view of Orr teaches:

*A document processing method of processing original data having a print format as an attribute, comprising steps of:*

*holding original data in a tree structure by giving an attribute to each node;*

*and*

*when separating arbitrary partial tree data in the tree structure into a plurality of partial tree data, replacing an attribute of each separated partial tree with an attribute of a node of the partial tree data in accordance with an attribute before separation.*

(Usami teaches a multiple page display for word processing including editing with a display controller that displays images of the original pages, but it does not expressly teach displaying a document structure with and original page contained in the object and does not teach an inserting a new group of pages.

Orr teaches a display controller that displays document structure and the original pages, and further, teaches the insertion of a plurality of objects to the original documents via a tree structure, and such object may include pages. In addition, Orr teaches a “design facet” that is part of the “design tree” of the composition tree structure. See, Orr, Figures 5A-7, and col. 15, line 62 through col. 16, lines 51. Further, see, Orr, col. 26, lines 26-32, teaching that the attribute of text in a dropped object may be changed or stay the same according to different user choices.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Usami with Orr to result in a word processing program that displayed the document by pages and to make insertions by pages with and without attribute modifications because both programs deal with the creation and manipulation of electronic documents. Suggestion for a page by page insertion according to the invention of Orr is taught by Orr in Figures 1 and 2, teaching a saved



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document that is edited through a user interface with an associated edited version which is then processed to a multi-page information presentation.)

Regarding **dependent claim 14**, Usami in view of Orr teaches:

*The method according to claim 13, wherein the attribute of the separated partial tree includes an attribute value before separation.*

(See rejection of claim 14 above, and, in addition, see Orr, col. 26, lines 26-31, teaching that the attributes of the added material (separated partial tree) may retain its original attributes.)

Regarding **dependent claim 15**, Usami in view of Orr teaches:

*The method according to claim 13, wherein the attribute of the separated partial tree includes an attribute value designated by a user.*

(See rejection of claim 14 above, and, in addition, see Orr, claim 7, teaching that the attributes of the added material (separated partial tree) may be selected by the user from a content drop table.)

Regarding **dependent claim 16**, Usami in view of Orr teaches:

*The method according to claim 13, wherein the attribute of the separated partial tree can be selectively applied by a user from a plurality of attribute setting methods.*

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(See rejection of claim 14 above, and, in addition, see Orr, claim 7, teaching that the attributes of the added material (separated partial tree) may be selected by the user from a content drop table.)

Regarding **independent claim 17**, Usami in view of Orr teaches:

*A document processing apparatus which processes original data having a print format as an attribute, comprising:*

*a holding unit which holds original data in a tree structure by giving an attribute to each node; and*

*a replacement unit which, when arbitrary partial tree data in the tree structure held by said holding unit is separated into a plurality of partial tree data, replaces an attribute of each separated partial tree with an attribute of a node of the partial tree data in accordance with an attribute before separation.*

(Usami teaches a multiple page display for word processing including editing with a display controller that displays images of the original pages, but it does not expressly teach displaying a document structure with and original page contained in the object and does not teach an inserting a new group of pages.

Orr teaches a display controller that displays document structure and the original pages, and further, teaches the insertion of a plurality of objects to the original documents via a tree structure, and such object may include pages. In addition, Orr teaches a “design facet” that is part of the “design tree” of the composition tree structure. See, Orr, Figures 5A-7, and col. 15, line 62 through col. 16, lines 51. Further,

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see, Orr, col. 26, lines 26-32, teaching that the size attribute of text, which is a print attribute, in a dropped object may be changed or stay the same according to different user choices.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Usami with Orr to result in a word processing program that displayed the document by pages and to make insertions by pages with and without attribute modifications because both programs deal with the creation and manipulation of electronic documents. Suggestion for a page by page insertion according to the invention of Orr is taught by Orr in Figures 1 and 2, teaching a saved document that is edited through a user interface with an associated edited version which is then processed to a multi-page information presentation.)

Regarding **independent claim 18**, Usami in view of Orr teaches:

*A computer program product which records a program for causing a computer to process a structured document formed by grouping original pages, wherein the program comprises a code for a display control step of controlling display of image objects of either or both of a document structure and an original page contained in the document, and a code for an editing step of editing the document so as to insert a new group containing a designated original page to a designated position in accordance with designation of the original page and the position on the image objects displayed in the display control step, wherein in the*

*display control step, display of the image objects is controlled for the document edited in the editing step.*

(Usami teaches a multiple page display for word processing including editing with a display controller that displays images of the original pages, but it does not expressly teach displaying a document structure with and original page contained in the object and does not teach an inserting a new group of pages.

Orr teaches a display controller that displays document structure and the original pages, and further, teaches the insertion of a plurality of objects to the original documents via a tree structure, and such object may include pages. In addition, Orr teaches a “design facet” that is part of the “design tree” of the composition tree structure. See, Orr, Figures 5A-7, and col. 15, line 62 through col. 16, lines 51. Further see, Orr, Figures 1-2, and 29, teaching control of the object in the editing step.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Usami with Orr to result in a word processing program that displayed the document by pages and to make insertions by pages with and without attribute modifications because both programs deal with the creation and manipulation of electronic documents. Suggestion for a page by page insertion according to the invention of Orr is taught by Orr in Figures 1 and 2, teaching a saved document that is edited through a user interface with an associated edited version which is then processed to a multi-page information presentation.)

Regarding **independent claim 19**, Usami in view of Orr teaches:

*A computer program product which records a program for causing a computer to process original data having a print format as an attribute, comprising:*

*a code for a step of holding original data in a tree structure by giving an attribute to each node; and*

*a code for a step of, when separating arbitrary partial tree data in the tree structure into a plurality of partial tree data, replacing an attribute of each separated partial tree with an attribute of a node of the partial tree data in accordance with an attribute before separation.*

(Usami teaches a multiple page display for word processing including editing with a display controller that displays images of the original pages, but it does not expressly teach displaying a document structure with and original page contained in the object and does not teach an inserting a new group of pages.

Orr teaches a display controller that displays document structure and the original pages, and further, teaches the insertion of a plurality of objects to the original documents via a tree structure, and such object may include pages. In addition, Orr teaches a “design facet” that is part of the “design tree” of the composition tree structure. See, Orr, Figures 5A-7, and col. 15, line 62 through col. 16, lines 51. Further, see, Orr, claim 17, teaching that modification of the content to be dropped, the partial tree data, may be edited within the tree structure.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Usami with Orr to result in a word processing program that displayed the document by pages and to make insertions by pages with and without attribute modifications because both programs deal with the creation and manipulation of electronic documents. Suggestion for a page by page insertion according to the invention of Orr is taught by Orr in Figures 1 and 2, teaching a saved document that is edited through a user interface with an associated edited version which is then processed to a multi-page information presentation.)

5. It is noted that any citations to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. See, MPEP 2123.

### ***Conclusion***

6. The following prior art is made of record and not relied upon that is considered pertinent to applicants' disclosure:

King, et al. (U.S. Patent 5,956,737), teaching layout of electronic documents using tree structure.

Orr, et al. (U.S. Patent 5,903,902), teaching tree structure for an electronic document, separated into content, design, and media aspects.

Orr, et al. (U.S. Patent 5,895,476), teaching editing of electronic documents using a tree structure.

Murata, (U.S. Patent 5,694,609), teaching electronic document processing using embedded node structures.

Tanaka, et al. (U.S. Patent 5,586,316), teaching use of multiple images on a page.

Yamashita, et al. (U.S. Patent 5,555,362), teaching extracting a tree structure from a page and creating a layout structure.

Sato, et al. (U.S. Patent 5,428,721), teaching image conversion techniques.

Smith, et al. (U.S. Patent 5,181,162), teaching document management by image objects mapped onto a page-by-page layout.

Baker, et al. (U.S. Patent 4,586,035), teaching display of multiple pages on a screen.

Brintzenhofe, et al. (U.S. Patent Application Publication 2003/0079177 A1), teaching creation of an electronic document with a tree structure.

Design Intelligence, Inc., "Live Layout, The Challenge of Automated Presentation," Design Intelligence, Inc., product brochure, March 1999, pages 1-3.

Everett, N. and King, J., "Dynamic solutions for Dynamic Presentations, Automated layout of variable data for on-demand delivery," Design Intelligence, Inc., White Paper, March 1999, cover, table of contents, and pages 1-16.

McDonald, M., "Processing Composite Content," Design Intelligence, Inc., White Paper, October 1, 1998, pages 1-35.


Design Intelligence, Inc., "Patents," Design Intelligence, Inc., Web page, August 24, 2000, downloaded by the Examiner on January 7, 2006, from:  
[web.archive.org/web/20000824165931/www.design-intelligence.com/patentdetails.html](http://web.archive.org/web/20000824165931/www.design-intelligence.com/patentdetails.html),  
downloaded pages 1-3.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael K. Botts whose telephone number is 571-272-5533. The examiner can normally be reached on Monday Thru Friday 8:00-4:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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